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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/797,750

03/09/2004

Shotaro Abe

CREO-003

4223

7590

02/04/2005

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EXAMINER

PHAM, LEDA T

ART UNIT

PAPER NUMBER

2834

DATE MAILED: 02/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/797,750	ABE ET AL.	
	Examiner	Art Unit	
	Leda T. Pham	2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>9/10/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

1. Claim 2 is objected to because of the following informalities: "engageable" on line 2 is misspelled. Appropriate correction is required.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In this claim, "the other housing portion" is unclear because there are two of housing portions, the upper housing portion and the lower housing portion. Which one has a wall face?

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Prudham (U.S. Patent No. 5,880,551).

Referring to claim 1, Prudham teaches a stepping motor (figure 1) comprising:

a housing (37, 38),

a rotor (2) and a stator (1) received in the housing,

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said stator comprising a yoke (40), said yoke comprising a frame portion (7 – 10) surrounding the rotor and a plurality of projections (5, 6) projecting from said frame portion toward the rotor, cylindrical magnetizing coils (20, 21) inserted around said projections, respectively and each adapted to receive supply of a pulse current, wherein an inner wall of the housing is formed with concaved portions to receive said magnetizing coils inserted around the respective projections, respectively while being kept spaced from said rotor (figure 2).

5. Claims 1 – 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Ogihara et al. (U.S. Patent No. 4,782,353).

Referring to claim 1, Ogihara teaches a stepping motor (figure 2) comprising:

a housing (3,4),

a rotor (1) and a stator (6) received in the housing,

said stator comprising a yoke (6), said yoke comprising a frame portion (bottom of the U-shape 6, figure 1) surrounding the rotor and a plurality of projections (6a) projecting from said frame portion toward the rotor, cylindrical magnetizing coils (7a, 7b) inserted around said projections, respectively and each adapted to receive supply of a pulse current, wherein an inner wall of the housing is formed with concaved portions to receive said magnetizing coils inserted around the respective projections, respectively while being kept spaced from said rotor (figure 1).

Referring to claim 2, Ogihara teaches the stepping motor wherein said housing comprises an upper housing portion (4) and a lower housing portion (3) engageable with the upper housing portion, said upper and lower housing portions housing said yoke (6) therebetween in cooperation with each other, said concaved portion (the space inside housing 3 and 4) is formed

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in at least one of the upper and lower housing portions and adapted to receive the magnetizing coil (7a, 7b) in cooperation with a wall face (the portion of housing 3 under rotor 1 and connecting to shaft 2) of the other housing portion, and a wall face rises from a bottom face of the concaved portion at a near side of the rotor and prevents contacting between the magnetizing coil and the rotor through contacting the magnetizing coil (figure 2).

Referring to claim 3, Ogihara teaches the stepping motor wherein each of the magnetizing coils (7a, 7b) comprises a bobbin (8) and a wound wire (7a, 7b), said bobbin comprising a barrel portion to be inserted around a corresponding projection and a pair of flange portions formed at opposite ends of the barrel portion, said wound wire being wound around the barrel portion, and the movement of the magnetizing coil toward the rotor is prevented by contacting that one of the flange portions which is positioned at a side of the rotor with said wall face (figure 2).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ogihara in view of Ridl (U.S. Patent No. 6,650,504 B2).

Referring to claim 4, Ogihara teaches the claimed invention, except for the added limitation of the upper edge portions of the rising wall faces of the concaved portions are chamfered.

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Ridl teaches in his invention a housing (26) having concaved portions with upper edge portions of rising wall faces are chamfered (124) for supporting the tape reel assembly in the center position relative to an opening formed by the housing.

Thus, it would have been obvious to one having skill in the art at the time the invention was made to modify the housing with the rising wall faces having chamfered as taught by Ridl. Doing so would provide an efficient data storage tape cartridge.

Allowable Subject Matter

8. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is an examiner's statement of reasons for allowance: the record of prior art does not show the chamfered upper edge of the rising wall faces inclining with a vertically descending angle toward a bottom of the concaved portion.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leda T. Pham whose telephone number is (571) 272-2032. The examiner can normally be reached on M-F (8:30-6:00) first Friday Off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (571) 272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Leda T. Pham
Examiner
Art Unit 2834

LTP
January 31, 2005


DARREN SCHUBERG
SUPERVISORY PATENT EXAMINER
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